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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,721	02/25/2002	Dimitri Gorokhovik	PHFR 010019	8258

24737 7590 10/06/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

CASCHERA, ANTONIO A

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/084,721	02/25/2002	Gorokhovik, Dimitri	PHFR 010019

EXAMINER

Antonio Caschera

ART UNIT**PAPER**

2676

20050926

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Commissioner for Patents

See Attached Office Action.

DETAILED ACTION

Appeal Brief Defective

1. The Appeal Brief filed on October 4, 2004 does not comply with the new rules under 37 CFR § 41.37 (c).

37 CFR § 41.37 (c) states:

(c) (1) The brief shall contain the following items under appropriate headings and in the order indicated in paragraphs (c)(1)(I) through (c)(1)(x) of this section, except that a brief filed by an appellant who is not represented by a registered practitioner need only substantially comply with paragraphs (c)(1)(iv) and (c)(1)(vii) through (c)(1)(x) of this section...

A review of the application reveals that the following sections are missing from the Appeal Brief filed October 4, 2004:

- (1) "Summary of claimed subject matter" as set forth in 37 CFR § 41.37 (c)(1)(v);
- (2) "Grounds of rejection to be reviewed on appeal" as set forth in 37 CFR § 41.37 (c)(1)(vi);
- (3) "Evidence appendix," as set forth in 37 CFR 41.37 (c)(1)(ix); and
- (4) "Related proceedings appendix," as set forth in 37 § CFR 41.37 (c)(1)(x).

It is required that a substitute Appeal Brief be submitted that is in compliance with 37 CFR § 41.37 (c). For more information on the Board's new rules, please see the web page entitled "More Information on the Rules of Practice Before the BPAI," Final Rule at:

<http://www.uspto.gov/web/offices/dcom/bpai/frzoo4/moreinfo.html>.

Art Unit: 2676

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 (Central Fax)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



aac

9/26/05

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600